

## Message Text

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PAGE 01 STATE 218243  
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06  
TRSE-00 ERDA-05 CIAE-00 COME-00 /032 R

DRAFTED BY EB/ITP/EWT - AREICHEBACH:JS  
APPROVED BY EB/ITP/EWT - AREICHENBACH  
RPE

-----067128 122316Z/66

P 122142Z SEP 77  
FM SECSTATE WASHDC  
TO AMEMBASSY PARIS PRIORITY

C O N F I D E N T I A L STATE 218243

USOECD, EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, GW, GE, UR

SUBJECT: GERMAN CRYSTAL GROWING MACHINES TO GDR AND USSR--  
IL 1355

REF: A) SCOM DOC (77) 505, B) COCOM DOC (77) 129

THE EMBASSY OF THE FEDERAL REPUBLIC OF GERMANY ADVISED  
THE DEPARTMENT ON SEPTEMBER 9, THAT IT HAD BEEN INFORMED  
BY ITS GOVERNMENT THAT THE PENDING LICENSE APPLICATIONS  
(SEE ABOVE REF DOCS) WERE TO BE APPROVED BY THE FRG IN  
ABSENCE OF A U.S. POSITION. THE RATIONALE FOR THIS  
ACTION WAS BASED ON THE INABILITY OF THE U.S. TO FORMULATE  
A TIMELY POSITION AND THE ACCEPTANCE OF THE EXPORT LICENSE  
APPLICATIONS BY THE FRG FROM THE EXPORTER ON THE BASIS THAT  
IDENTICAL EQUIPMENT HAD BEEN LICENSED ON TWO PREVIOUS  
OCCASIONS. ACCORDING TO THE GERMAN EMBASSY, THE FEDERAL  
REPUBLIC WOULD BE LIABLE FOR THE VALUE OF THE CONTRACT IF  
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THE LICENSE APPLICATION WERE NOT ACTED UPON IN A PRESCRIBED  
PERIOD -- A PERIOD WHICH HAS NOW PASSED WITHOUT A U.S.  
POSITION.

IN ACTUALITY, THE U.S. HAS NOT BEEN ABLE TO FORM AN  
AGREED UPON INTERAGENCY POSITION REGARDING THESE CASES.  
BECAUSE OF THIS, WE WILL PROBABLY TELL THE WEST GERMAN

EMBASSY THAT THE USG CAN NEITHER APPROVE NOR OBJECT TO THEIR COCOM SUBMISSION AND ASK THEM TO DEFER A FINAL LICENSING ACTION UNTIL WE CAN REACH A UNIFIED POSITION. HOWEVER, WE HAVE BEEN TOLD THAT THERE IS LITTLE CHANCE OF THE FRG DEFERRING ANY LONGER, GIVEN THE TIME ALREADY ALLOCATED FOR THIS ACTION AND THE PRESSURE OF THE LEGAL SUIT FACED BY THE FRG FOR ITS INACTION.

THE ABOVE IS FORWARDED FOR THE INFORMATION OF THE DEL IN THE EVENT THE GERMAN DEL MAKES A STATEMENT AT THE MEETING SEPTEMBER 13. NO COMMENT SHOULD BE MADE ON THE U.S. POSITION, BUT WE DID BELIEVE IT ADVISEABLE TO INFORM THE U.S. DEL BEFOREHAND OF THE ANTICIPATED ACTION BY THE FRG. WE ARE AWAITING AN AIDE MEMOIRE FROM THE FRG EMBASSY IN THE NEXT FEW DAYS AND WILL FORWARD A COPY OF THE DEL FOR ITS INFORMATION. VANCE

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE218243  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** AREICHEBACH:JS  
**Enclosure:** n/a  
**Executive Order:** X1  
**Errors:** N/A  
**Expiration:**  
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**Office:** ORIGIN EB  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**SAS ID:** 1304169  
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**Status:** NATIVE  
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**TAGS:** ESTC, GE, GC, UR, US, COCOM  
**To:** PARIS  
**Type:** TE  
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**Review Markings:**  
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